THE HON'BLE MR JUSTICE V.ESWARAIAH

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WRIT PETITION NO : 2192 of 2006

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Dated: 14-02-2006

Between:

Smt Sd. Zahera Begum.

..... PETITIONER

AND

The District Collector, Ranga Reddy District, Lakdikapul, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No.2192 of 2006

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the action of the respondents without initiating eviction proceedings under Sections 3 and 4

of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act') against the illegal occupants, as illegal and arbitrary.

The case of the petitioner is that the Government assigned a house site admeasuring 100 square yards in Sy.Nos.32 and 34 at Gachibowli Village of Serilingampally Mandal, Ranga Reddy District, vide Patta Certificate, dated 24-01-1984, and delivered possession of the said site in plot No.171 to her. The said plot was renumbered by the Revenue authorities as plot No.1399 in the year 2001 and the petitioner also raised a room in the said plot and lived there for some time. In the month of July, 2004, when the petitioner went to the neighbouring village for coolie work for two months, one Usman Khan and his wife Khaja Bee of Siddiqi Nagar break opened the lock and occupied her site. For restoration of possession and to take necessary action, the petitioner filed a representation before the respondents, but no action has been taken so far. Hence, this writ petition.

A perusal of the material papers goes to show that the petitioner has filed representations before the third respondent and also before the first respondent. But no representation has been filed before the Mandal Revenue Officer, the second respondent herein, who is the authority concerned.

Having regard to the facts and circumstances of the case, the petitioner is directed to make a representation before the second respondent, who is the authority concerned, to take appropriate action and on receiving such an application, the second respondent shall consider and dispose of the same after giving reasonable opportunity to the petitioner.

The Writ Petition is disposed of accordingly. No order as to costs.

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14-02-2006

sj